

REMARKS

Claims 1 – 33 are pending in this application. Claims 1 – 12 and 22 – 33 have been withdrawn from consideration and claims 13 and 20 are amended by this response. Claim 34 is allowed.

Applicant would like to thank the Examiner for courtesy extended during the telephone conversations with Applicant's representative.

Claim 13 is formally amended to define the step of "treating food products in the composition by at least one of coating, washing, spraying rinsing and soaking the food products". Support for this amendment can be found throughout the present specification and specifically on page 6, lines 23 – 24 describing "spraying"; page 15, line 3 describing "rinsing, dipping and/or washing"; page 17, line 23 describing "soaking" and page 17, line 23 – page 18, line 1 describing "combining with food products". In view of the above remarks, it is respectfully submitted that these amendments add no new matter and raise no new issues.

Claim 20 is formally amended in accordance with the Examiner's suggestion to further define "said step of treating food products". Applicant respectfully submits that no new matter has been added by this amendment and that this amendment raises no new issues.

**Claims 13 – 15, 17 and 19 – 21 are rejected under 35 U.S.C. 102(b)**

Claims 13 – 15, 17 and 19 – 21 are rejected under 35 USC 102(b), as being anticipated by U.S. Patent No. 5,560,821 issued to Leo et al.

Claim 13 has been amended to further define the step of “treating food products with the composition by at least one of coating, washing, spraying, rinsing, dipping, soaking and combining with the food products” as suggested by the Examiner and as discussed in the telephone conversation on June 22, 2006. Applicant respectfully submits that Leo neither discloses nor suggests “producing an antibacterial composition” for “treating food products with the composition by at least one of coating, washing, spraying, rinsing, dipping, soaking and combining with the food products” as in the present claimed invention. Therefore, in view of these amendments, Applicant respectfully submits that the rejection under 35 USC 103(a) over Leo is moot and should be withdrawn.

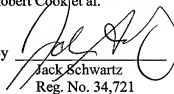
In view of the above remarks and based on the telephone interview with the Examiner, it is respectfully submitted that Claims 13 – 21 are allowable.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believe to be due with this response. If there is a fee due, please charge the fee to Deposit Account 50-2828.

Respectfully submitted,  
Robert Cook et al.

By



Jack Schwartz  
Reg. No. 34,721

Jack Schwartz & Associates  
1350 Broadway  
Suite 1510  
New York, NY 10018  
Tel: (212) 971 - 0416  
Fax: (212) 971 - 0417

Dated: June 23, 2006